

CHAPTER NO. 813

HOUSE BILL NO. 3606

By Representative Stanley

Substituted for: Senate Bill No. 3607

By Senator Person

AN ACT to amend Tennessee Code Annotated, Section 30-4-103, relative to small estate affidavits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 30-4-103(1) is amended by adding the following language as a new paragraph immediately following subdivision (1)(E):

A competent adult who is not a legatee or devisee or personal representative named in the decedent's will, or an heir or next of kin of the deceased, may be appointed as the affiant for a small estate by the court if all competent, adult legatees or devisees or personal representatives named in the decedent's will, if a will was left, or heirs or next of kin, if no will was left, consent in writing to the appointment of such competent adult as the affiant; provided any person who is appointed as an affiant pursuant to the provisions of this act shall comply with all other provisions of this section including the bond provisions contained in subdivision (5). The consent of any personal representative who is named in the decedent's will and who has renounced the appointment shall not be required in order for the court to appoint an affiant for a small estate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 15, 2006



JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 2nd day of June 2006



PHIL BREDESEN, GOVERNOR